

DOLLY M. TROMPETER, ESQ.
CA Bar ID No. 235784
Peña & Bromberg, PLC
2440 Tulare St., Suite 320
Fresno, CA 93721
Telephone: 415-271-8604
Fax: 866-282-6709
dolly@dollydisabilitylaw.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Curtis Anthony Day,
Plaintiff,
vs.
Martin O’Malley, Commissioner of
Social Security¹,
Defendant.

} Case No. 2:24-cv-00137-JDP

} SECOND STIPULATION AND
} PROPOSED ORDER FOR
} EXTENSION OF TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 4-day extension of time, from June 10, 2024 to June 14, 2024, for Plaintiff to serve on defendant with Plaintiff's Motion for

¹ Martin O’Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O’Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Summary Judgment. All other dates in the Court's Scheduling Order shall be
2 extended accordingly.

3 This is Plaintiff's second request for an extension of time. Plaintiff requests
4 this extension in good faith and with good cause. Counsel for Plaintiff was
5 recently assigned to this matter. During the week of June 3, 2024 counsel had
6 three merit briefs, two EAJA negotiations, and five agency level reviews. Counsel
7 for Plaintiff was further limited due to ongoing issues with migraines. Counsel
8 requires additional time to brief the issues thoroughly for the Court's
9 consideration. Defendant does not oppose the requested extension. Counsel
10 apologizes to the Defendant and Court for any inconvenience this may cause.

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12 Respectfully submitted,

13 Dated: June 10, 2024

PENA & BROMBERG, ATTORNEYS AT LAW

15 By: /s/ Dolly M. Trompeter
16 DOLLY M. TROMPETER
17 Attorneys for Plaintiff

19 Dated: June 10, 2024

20 PHILLIP A. TALBERT
United States Attorney
21 MATTHEW W. PILE
Associate General Counsel
22 Office of Program Litigation, Office 7

24 By: */s/ Christopher Vieira
25 Christopher Vieira
26 Special Assistant United States Attorney
27 Attorneys for Defendant
28 (*As authorized by email on June 10, 2024)

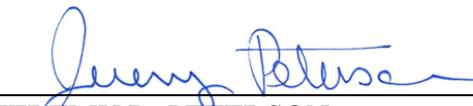
1 **PROPOSED ORDER**

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3 Pursuant to stipulation,

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5 IT IS SO ORDERED.

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7 Dated: June 12, 2024

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JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE